

CONSUMER COMPLAINT FORM

James D. "Buddy" Caldwell
Attorney General
Louisiana Department of Justice
Consumer Protection Section
P.O. Box 94005
Baton Rouge, LA 70804
Phone: (800) 351-4889
Fax: (225) 326-6499

CASE ID:
FOR OFFICE USE ONLY

* = REQUIRED

Is this related to Storm? Yes No

Are you over the age of 60? Yes No

February 10, 2014

Rev. Fraddie Lee Phillips, Jr.

* Date

* Full Name of Person Filing Complaint

* Address: 8055 Hanks Drive

* Home Phone: 225-358-4663 * Work Phone: 225-229-03341 * Parish: East Baton Rouge

* City, State: Baton Rouge, Louisiana * Zip: 70812-4122

* Person Complained Against: All LALB Members & Legal Counsel Larry S. Bankston

* Company Complained Against: Louisiana Auctioneer Licensing Board (LALB)

* Address: 11736 Newcastle Avenue

* Phone: 225-295-8420 * Parish/County: East Baton Rouge

* City, State: Baton Rouge, Louisiana * Zip: 70816

Name of Salesperson (if known): N/A - Tessa Steinkamp is Chairman Sandy Edmonds is Executive Asst.

Date of Transaction: Throughout 2013 (see video link below).

Description of product or service about which you are complaining. Include brand name, model number and serial number, if possible:

Website of LALB. It contains links for the Louisiana Auctioneer Association and the National Auctioneer Association; however, despite my repeated requests for the trade organization I founded and for which I serve as President, the Louisiana Association of Professional Auctioneers (LAPA) to have a link added, the Board has repeatedly declined to do so. Webpage of 2013 videos of requests and responses: www.auctioneer-la.org/toc_LAPALink.htm.

Name of manufacturer (if known): N/A - Website maintained by LALB

Representative of manufacturer contacted (if any). Please include the address and phone number.

Larry S. Bankston (legal counsel). 8708 Jefferson Hwy., Ste. A, Baton Rouge, LA 70809
Phone: 225-766-3800. Fax: 225-766-7800. Email: larry@bblawyers.net.

Amount of purchase and method of payment: N/A - Gov't licensing Board

If your complaint concerns the advertising of a product or service, indicate when and where it was advertised.

Website - Refuses to include LAPA link.

* Have you contacted the merchant? Y/N Yes Date: Thru 2013

AFTER REVIEWING YOUR COMPLAINT AND THE STEPS YOU HAVE TAKEN TO RESOLVE IT, YOU MAY BE REFERRED TO ANOTHER AGENCY, A PRIVATE ATTORNEY, SMALL CLAIMS COURT OR JUSTICE OF THE PEACE COURT, OR SOME OTHER METHOD OF RESOLVING YOUR COMPLAINT. A COPY OF THIS COMPLAINT MAY BE SENT TO THE BUSINESS

* Using the space provided below, please explain your complaint fully. Please describe the events in the order in which they occurred, using extra paper if necessary. **IMPORTANT:** Enclose copies of all documents relevant to your complaint including advertising material, contracts, warranties, receipts, canceled checks, etc. If your complaint involves a vehicle, please indicate the make, year and vehicle identification number. (1200 character limit)

Please refer to enclosed complaint letter dated November 8, 2013; email to Ms. Emily Boyce of November 12, 2013; email to Constituent services @ ag.state.la.us; and this website URL: www.auctioneer-la.org/tac_LAPAlink.htm

* What would satisfy your complaint?

Either adding www.auctioneer-la.org (LAPA) link to LALB's website OR removing LAA and NAA links.

PLEASE READ THE FOLLOWING CAREFULLY. By submitting this form, you are signifying that you have read and understand the following statements:

I understand the Attorney General's Office may provide copies of this form and any attachments to the business complained about and other private and public agencies. I authorize the Office of the Attorney General to give copies or any information of the form to anyone deemed necessary by them.

I understand that the Attorney General's office is not my legal representative. I understand that it is recommended that I consult a private attorney. I also understand that I may lose my private right to sue about this matter entirely if I wait too long to do so. I also understand that any action by the Attorney General's office may not result in a refund or other relief for me personally.

I wish to file this complaint with the Attorney General's office. I understand that your office does not conduct litigation for individuals in matters which involve purely private controversies. I am, however, filing this complaint to notify your office of the activities of this party and to seek any other assistance you may be able to render.



* I understand and agree to all above conditions.

Signature :

Reddie Phelan

Date : February 10, 2014



LOUISIANA ASSOCIATION OF
PROFESSIONAL AUCTIONEERS

November 8, 2013

MR JAMES D "BUDDY" CALDWELL
ATTORNEY GENERAL, STATE OF LOUISIANA
P O BOX 94005
BATON ROUGE LA 70804-9005

Dear Attorney General Caldwell:

I wish to file a formal complaint against the Louisiana Auctioneer Licensing Board (LALB) for the Board's steadfast refusal to place a link on the Board's website, www.lalb.org, for the trade association I founded and for which I serve as President, the Louisiana Association of Professional Auctioneers (LAPA). That link is www.auctioneer-la.org.

The Board presently has links for the Louisiana Auctioneer Association and the National Auctioneer Association. LAPA's website provides invaluable guidance for consumers for avoiding problematic auction experiences. Through its repeated and adamant stands refusing to place the link on its website (for which I can provide your office with links for videos of same), I assert the LALB has: #1) blatantly discriminated against me based on my race as I am the only African American auctioneer in Louisiana's history, and #2) blatantly violated my rights under the First Amendment of the Constitution of the United States. The LALB is not some private club but instead is a public agency funded with public funds and therefore does not have the prerogative to discriminate or violate my First Amendment rights. Accordingly, I ask that your office either issue a directive for the LALB to add LAPA's link to the other trade association links on its website or else issue a directive for the LALB to remove the other links presently on its website.

I appreciate your time in considering my complaint, and I look forward to the Attorney General's Office initiating one of the two actions I've outlined in the preceding paragraph.

Sincerely,

Cc: Marjorie Esman, Executive Director – Louisiana ACLU (via email)
Stephen Street, Louisiana State Inspector General (via email)

Rev. Freddie Lee Phillips
LAPA President and Founder

Rev. Freddie Lee Phillips

From: Rev. Freddie Lee Phillips <freddie@auctioneer-la.org>
Sent: Tuesday, November 12, 2013 4:02 AM
To: Boyce, Emalie
Cc: director@laaclu.org; stephen.street@la.gov
Subject: Complaint Against LAPB Filed With LA Attorney General's Office

Ms. Boyce:

I hope you had an enjoyable Veteran's Day.

On Friday, I mailed this one-page complaint against the LALB to the Attorney General's Office: www.auctioneer-la.org/AG_LAPA_link.pdf.

As you will note in the 2nd paragraph of the complaint, I reference the availability of video links for videos of the LALB repeatedly rejecting my requests for placing a link to my trade association's website on its own website links page.

I requested that LAPA Vice President Robert Burns create a webpage of those videos, and he has done so. A direct link for all of those videos is: http://www.auctioneer-la.org/toc_LAPALink.htm.

I know you likely won't be the one handling the complaint, Ms. Boyce, but I respectfully request that you forward this email to whomever in your office may be responsible for handling my complaint in order that the person may have access to the preceding link.

As I plainly state in the complaint, I believe that the LALB has #1) engaged in blatant racial discrimination against me in its decision and, #2) blatantly violated my rights under the First Amendment of the U. S. Constitution. As I make known in my complaint to your office, I request that the Attorney General's Office either issue a directive mandating that my trade association's URL weblink, www.auctioneer-la.org, be added to the Board's webpage of association links or else that the Attorney General's Office issue a directive instructing the LALB to remove the links for the other two trade associations presently on its website link page.

It's my sincere hope that the Louisiana Attorney General's Office will fulfill my request but, if not, I'm hopeful that the Louisiana Chapter of the ACLU will consider initiating a lawsuit on my behalf if my request outlined in my complaint is not fulfilled. Accordingly, I have copied Ms. Marjorie Esman, Executive Director of the Louisiana Chapter of the ACLU, on this email.

I appreciate your willingness to forward this email to whomever in the Louisiana Attorney General's Office may handle my complaint, Ms. Boyce, and I look forward to hearing back from your office on the disposition of my complaint.

Sincerely,



LOUISIANA ASSOCIATION OF
PROFESSIONAL AUCTIONEERS

Rev. Freddie Lee Phillips, President

LA Association of Professional Auctioneers (LAPA)

8055 Hanks Drive

Baton Rouge, LA 70812-4122

(225) 229-3341

www.auctioneer-la.org

Rev. Freddie Lee Phillips

From: Rev. Freddie Lee Phillips <freddie@auctioneer-la.org>
Sent: Friday, January 03, 2014 4:17 PM
To: 'constituentservices@ag.state.la.us'
Cc: 'director@laaclu.org'
Subject: Status of My Complaint of 11/8/13 Against Louisiana Auctioneer's Licensing Board (LALB)

Good Afternoon:

I want to check into the status of a complaint I filed with the Louisiana Attorney General's Office on November 8, 2013. That complaint is at this link: http://www.auctioneer-la.org/AG_LAPA_link.pdf.

The complaint now serves as the most recent development in a year-long effort to have my trade association's website added to the LALB's website. The LALB is a governmental entity and, as such, it neither has the authority to blatantly discriminate against me as the only African American auctioneer in Louisiana history and also to blatantly violate my First Amendment rights under the Constitution of the United States of America. That full year's effort is chronicled at this website link: http://www.auctioneer-la.org/toc_LAPALink.htm.

Thus far, I have received no response whatsoever from Louisiana Attorney General Buddy Caldwell's Office, and I would appreciate feedback.

I appreciate your time, and I look forward to hearing back from you in the near future.



LOUISIANA ASSOCIATION OF
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